

GTC

LAWYERS + STRATEGISTS

GTC Data Privacy & Security Training

November 3, 2017

Hosted by

JUNIPER[®]
NETWORKS

GTC DATA PRIVACY & SECURITY GROUP



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SPECIAL THANKS TO

EMILY CHANG

**ASSISTANT GENERAL COUNSEL,
DIRECTOR**

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PRIZES!

Name one example of a recent merger or acquisition where consumer data was a key value driver.

Name one example of a recent data breach incident.

BONUS: involving a vendor/contractor.

When will the European Union General Data Protection Regulation (“GDPR”) take effect?

WHY ARE WE HERE TODAY?

***DOES DATA PRIVACY AND SECURITY
MATTER ... IN MERGERS &
ACQUISITIONS?***

The image features the Verizon logo and the Yahoo! logo in large, white, bold, sans-serif font. The Verizon logo is positioned above the Yahoo! logo. The background is a dark, blue-toned server room with rows of server racks and glowing lights in shades of blue, green, and red, creating a digital and technological atmosphere.

Verizon YAHOO!

Verizon is buying Yahoo for \$4.8 billion

CNN Money – July 25, 2016

Yahoo Says Hackers Stole Data on 500 Million Users in 2014

New York Times – September 22, 2016 (2014 attack)

Yahoo Says 1 Billion User Accounts Were Hacked

New York Times – December 14, 2016 (2013 attack)

Hacked Yahoo Data Is for Sale on Dark Web

New York Times – December 15, 2016

Verizon Will Pay \$350 Million Less for Yahoo

New York Times – February 21, 2017

**Actually, every single Yahoo account
got hacked in 2013**

Washington Post – **October 3, 2017**

THIS AFFECTED THE DEAL TERMS BEYOND THE \$350M PRICE REDUCTION

(a) upon and after the Closing, [Yahoo] will retain certain post-closing cash liabilities arising out of **governmental or third party investigations, litigations or other claims** related to certain data security incidents and other data breaches incurred by the Company that were to be assumed by Yahoo Holdings under the Original Reorganization Agreement;

(b) Verizon will indemnify the Company for 50 percent (with [Yahoo] **being responsible for the remaining 50 percent**) of any such liabilities that have **not** been finally determined and entered or stipulated against the Company prior to the Closing; and

(c) [Yahoo] will be responsible for **100 percent** of any such liabilities that are **finally determined and entered or stipulated against the Company or its subsidiaries prior to the Closing**.

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 8-K

***DOES DATA PRIVACY AND SECURITY
MATTER ...***

***IN RELATIONSHIPS WITH
VENDORS/SUPPLIERS ...***

OR AS A VENDOR/SUPPLIER?

**“I don’t think we can pass
a law that, excuse me for
saying this, fixes stupid.**

I can’t fix stupid.”

**Rep. Greg Walden
Republican - Oregon**

Equifax Breach Caused by Lone Employee's Error, Former C.E.O. Says

The New York Times

By TARA SIEGEL BERNARD and STACY COWLEY OCT. 3, 2017



“In early March, the **Department of Homeland Security sent Equifax and other companies an alert about a critical vulnerability** in software that Equifax used in an online portal for recording customer disputes.

The company sent out an **internal email requesting that its technical staff fix the software**, but “**an individual did not ensure communication got to the right person to manually patch the application,**” Mr. Smith told the subcommittee. That was **compounded by a technical error: The scanning software that Equifax used to detect vulnerabilities failed to find the unpatched hole**, he said.”



Millions of Verizon customer records exposed in security lapse

Customer records for at least 14 million subscribers, including phone numbers and account PINs, were exposed.

As many as 14 million records of subscribers who called the phone giant's customer services in the past six months were found on an unprotected Amazon S3 storage server **controlled by an employee of Nice Systems**, a Ra'anana, Israel-based company.



July 2017

The data was downloadable by anyone with the easy-to-guess web address.

Nice, which counts **85 of the Fortune 100 as customers**, plays in two main enterprise software markets: customer engagement and financial crime and compliance including tools that prevent fraud and money laundering.

Data on 198M voters exposed by GOP contractor

A data analytics **contractor** employed by the Republican National Committee (RNC) left databases containing information on nearly 200 million potential voters exposed to the internet without security, allowing anyone who knew where to look to download it without a password.

"We take full responsibility for this situation," said the contractor, **Deep Root Analytics**, in a statement.

The databases were part of **25 terabytes of files contained in an Amazon cloud account that could be browsed without logging in.**



June 2017

AGENDA

9:15am - 10:15am **Mergers & Acquisitions – Data Privacy & Security**

Jon Adams, Senior Privacy Counsel, LinkedIn

Rocco Grillo, Executive Managing Director, Cyber Resilience Leader,
Stroz Friedberg/Aon

Sayoko Blodgett-Ford, Member & Chief Privacy Officer, GTC Law Group

10:15am - 11am **Beyond the Basics: Recent Developments in Global Data Privacy & Security**

David Bender, Special Counsel, Data Privacy, GTC Law Group and
Distinguished Fellow, Ponemon Institute

11am - 11:10am **BREAK**

11:10am - 12:10pm **Vendor Risk Management – Data Privacy & Security**

Sherry Ryan, CISO, Juniper

Tanya O'Connor, Director, Information Security, Arcadia Healthcare Solutions

Gary Roboff, Senior Advisor, Santa Fe Group - Shared Assessments

Rick Olin, Shareholder, CIPP/US, GTC Law Group

12:10pm - 12:30pm **Closing**

LOGISTICS NOTES

- Speakers will share their thoughts based on their professional experience over the years.
- Speakers are not stating the official position, policy or views of their employer or clients.
- If speakers are asked about anything confidential involving a specific matter, they may not be able to answer in detail or at all, for example, regarding a current lawsuit.
- Please ask questions directly during the presentations -- or use the cards we have handed out – or both.
- Your questions will help us make this training more useful to you.
- **Thank you for making time to attend today!**

SUNNYVALE ATTENDEES ...

PLEASE GIVE YOUR QUESTION CARDS TO:



Laila Paszti



Mirjam Supponen

Thank You

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